

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Deputy Clerk.

**F029043      Nunez v. Workers' Compensation Appeals Board; Cruz, et al.**

Cause called and argued by Michael Goldberg, Esq., counsel for petitioner and by David Parker, Esq., counsel for respondent. Thomas J. McBirnie, Esq., counsel for respondent waived oral argument.

Cause ordered submitted.

**F024557      People v. Lopez, et al.**

**F025403      People v. Sanchez, et al.**

Cause called and argued by Victor J. Morse, Esq., counsel for appellant Adam Refugio Loya. Howard J. Specter, Esq., counsel for appellant Jaime Lopez waived oral argument. K. Douglas Cummings, Esq., counsel for appellant Ramon Lopez waived oral argument. Alisa Weisman, Esq., counsel for appellant Luis Anton Sanchez waived oral argument. J. Robert Jibson, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Ardaiz, P.J. directs Dibiaso, J. to act as Presiding Justice in his absence and leaves the bench with Vartabedian, J.; they are replaced by Dibiaso, J. and Buckley, J.

**F026472      Summers, et al. v. A.L. Gilbert Company, et al.**

Cause called and argued by Bradley A. Post, Esq., counsel for appellant and by William L. Veen, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Monday, December 14, 1998 at 1:45 P.M.

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**F028700      People v. Franks**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F028630      People v. Bautista**

The judgment upon resentencing is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F029863      People v. Coronado**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F029632      People v. Utzman**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F029162      People v. Ruiz**

Ruiz's conviction for simple possession of methamphetamine (count III) is reversed. The trial court is directed to prepare an abstract of judgment consistent with this opinion and to forward a certified copy to the Department of Corrections. As modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F029156      People v. Baugh**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F031392      In re Jose G., a Minor**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F029259      People v. Romero**

**F031797      In re Anthony a. Romero on Habeas Corpus**

On its own motion and after notice to the parties, the court orders the captioned matters consolidated for purposes of decision.

**F028222      People v. Mendoza**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F029422      People v. Allred, Jr.**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F026723      People v. Sias**

Appellant's petition for rehearing filed herein is denied.

**F029105      People v. Skaggs**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F029085      People v. Baker-Ramos**

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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**F029435      People v. Gonzales**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F032049      People v. Carney**

**F032216      In re Howard Carney on Habeas Corpus**

On its own motion and after notice to the parties, the court orders  
the captioned matters consolidated for purposes of decision.

**F031958      Rosalinda M. v. Superior Court, Stanislaus; Department of Social Services**

Oral argument having been waived in the above-entitled case in  
accordance with the provisions of a notice mailed to counsel, the  
calendar date heretofore set is vacated and the case is submitted for  
decision.